

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re Application of:**

Boaz et al.

Serial No.: 09/957,182

Group Art Unit: 1614

Filed: September 20, 2001

Examiner:

For: HIGHLY ENANTIOMERICALLY PURE LACTAM-SUBSTITUTED  
PROPANOIC ACID DERIVATIVES AND METHODS OF MAKING AND  
USING SAMEAssistant Commissioner for Patents  
Washington, D.C. 20231**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97(b)**

In accordance with 37 CFR 1.56, the documents listed on the attached Information Disclosure Statement by Applicants are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the listed documents are enclosed.

The Information Disclosure Statement submitted herewith is being filed, to the knowledge of the undersigned, before the mailing date of a first Office Action on the merits.

Respectfully submitted,

  
Michael J. Blake

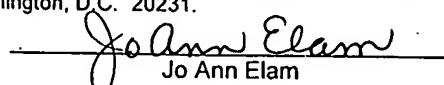
Registration No. 37,096

  
August 5, 2002  
Date

Eastman Chemical Company  
P.O. Box 511  
Kingsport, Tennessee 37662  
Phone: (423) 229-1793  
FAX: (423) 229-1239

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Jo Ann Elam  
August 6, 2002  
Date

Please type a plus (+) sign in this box →

Substitute for form 1449				Attorney Docket Number	71360
				First Named Inventor	Boaz et al.
<i>COMPLETE IF KNOWN</i>					
				Application Number	09/957,182
				Filing Date	September 20, 2001
				Group Art Unit	1614
Sheet	1	of	2	Examiner Name	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
		4,108,992		Pearson et al	08/22/78
		4,446,146		Southgate et al	05/01/84
		4,696,943		Gobert et al	09/29/87

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Date of Publication of Cited Document MM-DD-YYYY
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	
		DE	19918420		Aventis Research & Technologies GmbH & Co. KG 10/26/00
		JP	10279541		Patent Abstracts of Japan 10/20/98 ✓
		GB	1 309 692		UCB S.A. 03/14/73
		GB	2,110,207		Hoffmann-La Roche 06/15/83
		GB	2,202,075		Harder et al 09/14/88
		EP	0 106 988		The Wellcome Foundation, Ltd. 05/02/84
		EP	0 306 266		The University of Notre Dame 03/08/89
		EP	0 365 992		Abbott Laboratories 05/02/90
		WO	92 16497		Japan Tobacco, Inc. 10/01/92 ✓
		WO	96 17862		Abbott Laboratories 06/13/96
		WO	97 40809		Queen's University of Kingston 11/06/97
		WO	01 62726		UCB S.A. 08/30/01

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Please type a plus (+) sign in this box →

Substitute for form 1449		Attorney Docket Number	71360
		First Named Inventor	Boaz et al.
COMPLETE IF KNOWN			
		Application Number	09/957,182
		Filing Date	September 20, 2001
		Group Art Unit	1614
Sheet	2	of	2
	Examiner Name		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author(s) in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
		Katritzky et al, Journal of Organic Chemistry, 2000, Vol. 65, Pages 4364-4369		
		Lloyd et al, Tetrahedron, 1999, Vol. 55, No. 33, Pages 10201-10220		
		Nicolas et al, Drug Metabolism and Disposition, 1999, Vol. 27, No. 2, Pages 250-254		
		Wolfe et al, Journal of Organic Chemistry, 1997, Vol. 62, Pages 654-663		
		Kim et al., Bulletin of the Korean Chemical Society, 1996, Vol. 17, No. 1, Pages 34-38		
		Noyer et al, European Journal of Pharmacology, 1995, Vol. 286, No. 2, Pages 137-146		
		Baggaley et al, Journal of The Chemical Society, 1990, Vol. 6, Pages 1521-1533		
		Thaisrivongs et al, Journal of Medicinal Chemistry, 1988, Vol. 31, No. 7, Pages 1369-1376		
		Shipov et al, Journal of General Chemistry of the U.S.S.R., 1991, Pages 2142-2150		
		Roth et al, Tetrahedron, 1995, Vol. 51, No. 3, Pages 801-810		

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Boaz et al.

Serial No.: 09/957,182

Group Art Unit: 1614

Filed: September 20, 2001

Examiner:

For: HIGHLY ENANTIOMERICALLY PURE LACTAM-SUBSTITUTED  
PROPANOIC ACID DERIVATIVES AND METHODS OF MAKING AND  
USING SAMEAssistant Commissioner for Patents  
Washington, D.C. 20231**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97(b)**

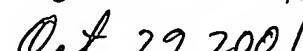
In accordance with 37 CFR 1.56, the documents listed on the attached Information Disclosure Statement by Applicants are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed.

The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the application.

Respectfully submitted,



Michael J. Blake  
Registration No. 37,096

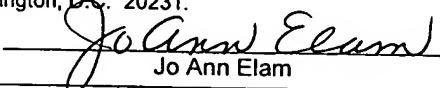
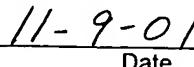


Date

Eastman Chemical Company  
P.O. Box 511  
Kingsport, Tennessee 37662  
Phone: (423) 229-1793  
FAX: (423) 229-1239

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Jo Ann Elam  
Date

Please type a plus (+) sign in this box →

Substitute for form 1449				Attorney Docket Number	71360
				First Named Inventor	Boaz et al.
<b>COMPLETE IF KNOWN</b>					
				Application Number	09/957,182
				Filing Date	September 20, 2001
				Group Art Unit	1614
Sheet	1	of	2	Examiner Name	

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
		4,696,943		Gobert et al	09/29/87

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Date of Publication of Cited Document MM-DD-YYYY
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	

<b>OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>6</sup>
		Ohkuma et al. "Catalytic Asymmetric Synthesis," 2nd Ed. Wiley-VCH, Inc., pages 1-17 (2000)		
		Zoller et al. "Amidoalkylation of Mercaptans With Glyoxylic Acid Derivatives" Tetrahedron, Vol. 31:pages 863-866 (1975)		
		Schmidt et al. "Amino Acids and Peptides; XLIII, Dehydroamino Acids; XVIII, Synthesis of Dehydroamino Acids and Amino Acids from N-Acyl-2-(dialkyloxyphosphinyl)-glycin Esters; II Synthesis, pages 53-60, January 1984		

Examiner Signature		Date Considered
--------------------	--	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Please type a plus (+) sign in this box →

Substitute for form 1449				Attorney Docket Number	71360
				First Named Inventor	Boaz et al.
<i>COMPLETE IF KNOWN</i>					
				Application Number	09/957,182
				Filing Date	September 20, 2001
				Group Art Unit	1614
Sheet	2	of	2	Examiner Name	

		Richards et al, Tetrahedron: Asymmetry, 1998, Vol. 9, pages 2377-2407	
		Fiorini et al, Journal of Molecular Catalysis, 1979, Vol. 5, pages 303-310	
		Pracejus et al, Tetrahedron Letters, 1977, Vol. 39, pages 3497-3500	
		Marquarding et al, Journal of the American Chemical Society, 1970, Vol. 92, pages 5389-5393	
		Armstrong et al, Analytical Chemistry, 1985, Vol. 57, No. 2, pages 481-484	
		Boaz, Tetrahedron Letters, 1989, Vol. 30, No. 16, pages 2061-2064	
		Hayashi et al, Bull Chemical Society of Japan, 1980, Vol. 53, No. 4, pages 1138-1151	
		Schmidt et al, Synthesis, 1992, pages 487-490	

Examiner Signature		Date Considered
-----------------------	--	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

## Notice of References Cited

Application/Control No.  
09/957,182

Applicant(s)/Patent Under Reexam  
Boaz et al.

Examiner

Bruck Kifle, Ph.D.

Art Unit

1624

Page 1 of 1

### U.S. PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY <sup>1</sup>	Name	Classification <sup>2</sup>	
A	3,022,293	2/1962	Miller	260	239.3
B	4,552,889	11/1985	Scott	514	424
C					
D					
E					
F					
G					
H					
I					
J					
K					
L					
M					

### FOREIGN PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY <sup>1</sup>	Country	Name	Classification <sup>2</sup>
N					
O					
P					
Q					
R					
S					
T					

### NON-PATENT DOCUMENTS

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages	
U	Easton et al., Tetrahedron Letters (1990), 31(24, 3471-4.	
V		
W		
X		

<sup>1</sup> A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

<sup>1</sup> Dates in MM-YYYY format are publication dates.

<sup>2</sup> Classifications may be U.S. or foreign.